

Minutes of the
City Commission for the City of Traverse City
Regular Meeting
August 17, 2015



A regular meeting of the City Commission of the City of Traverse City was called to order at the Commission Chambers, Governmental Center, 400 Boardman Avenue, Traverse City, Michigan, at 7 p.m.

The following Commissioners were present, constituting a quorum: Mayor Michael Estes, Mayor Pro Tem Barbara D. Budros (departed at 9:26 p.m.), James Carruthers, Jeanine Easterday, Gary Howe, Ross Richardson, Tim Werner.

The following Commissioners were absent: None.

The Pledge of Allegiance was recited.

Mayor Estes presided at the meeting.

As requested by Commissioner Barbara Budros, Agenda Item 2(c) was removed from the Consent Calendar for individual consideration.

2. Consent Calendar

Moved by Carruthers, seconded by Richardson, that the following actions as recommended on the amended Consent Calendar portion of the Agenda be approved:

- a. the minutes of the August 3, 2015, Regular Meeting, August 10, 2015, Special Meeting and August 10, 2015, Study Session be approved.
- b. the City Manager be authorized to issue a confirming purchase order in the amount of \$16,294.02 to Brenner Oil Co. for 10,004 gallons of clear #2 diesel fuel without additives priced at \$1.62875 per gallon with funds available in the Garage Fund.

- c. Removed from the Consent Calendar.
- d. an amendment to the Traverse City Code of Ordinances, Section 863.09, Investigation of Residential Area Transient Merchant; Waiting Period and Section 863.11, License Issuance or Denial, which would shift the responsibility of the residential area applicant investigation to the City Clerk and clarify reasons for possible permit denial, be introduced and scheduled for possible enactment on September 8, 2015.
- e. an amendment to the Traverse City Code of Ordinances, Section 865.07, Investigation by the Chief of Police, which would shift the responsibility of the residential area applicant investigation to the City Clerk, be introduced and scheduled for possible enactment on September 8, 2015.
- f. an amendment to the Traverse City Code of Ordinances, Section 862.07, Investigation of Residential Area Solicitor and Section 862.10, Permit Issuance or Denial, which would shift the responsibility of the residential area applicant investigation to the City Clerk and clarify reasons for possible permit denial, be introduced and scheduled for possible enactment on September 8, 2015.
- g. the amendments to the Traverse City Code of Ordinances, Section 1320.07, Definitions and Section 1354.01, Uses Allowed, which would allow for crematories and funeral homes in the Industrial District, as recommended by the Planning Commission, be introduced and scheduled for possible enactment on September 8, 2015.
- h. the two (2) hazardous materials decontamination systems as outlined in the August 10, 2015, memo from the Fire Chief, be declared surplus and authorized for redistribution to other hazardous materials response agencies.
- i. a 1988 Jobsite Trailer (#211) Public Education trailer as outlined in the August 10, 2015, memo from the Fire Chief, be declared surplus and authorized for disposal.
- j. the resolution recommending approval of the request for a new Redevelopment Liquor License with Class C Liquor License privileges from Alliance Restaurant, LLC., be adopted, and that the City Clerk be authorized

to issue a Liquor License Registration to Alliance Restaurant, LLC., to operate such license at 144 Hall Street, Suite 107.

CARRIED unanimously

Items removed from the Consent Calendar

a.

Consideration of adopting a Memorandum of Understanding regarding fundraising efforts related to Hickory Hills.

The following addressed the Commission:

Marty Colburn, City Manager
Lauren Tribble-Laucht, City Attorney

Moved by Richardson, seconded by Carruthers, that the Mayor and City Clerk execute the Memorandum of Understanding with Preserve Hickory regarding fundraising efforts by Preserve Hickory for implementation of the Hickory Hills Master Plan.

Rick Buckhalter, 932 Kelley Street – expressed opposition
Mac McClelland, 8334 South Outer Drive, Green Lake Township, Hickory Hills Advisory Committee Chairman – made general comments

Roll Call:

Yes - Carruthers, Easterday, Howe, Richardson, Werner.

No - Budros, Estes.

CARRIED.

3. Old Business

3(a).

Discussion regarding and consideration of scheduling a public hearing on September 21, 2015, regarding a request for a Special Land Use Permit in connection with development at 305 West Front Street, as recommended by the Planning Commission; and consideration of scheduling a study session regarding the request for August 31, 2015.

The following addressed the Commission:

Marty Colburn, City Manager
Doug Mansfield, Mansfield Land Use Consultants President
Benjamin Marentette, City Clerk

Moved by Richardson, seconded by Howe, that the request from The Woda Group, Inc. for Special Land Use Permit 15-SLUP-01, to allow for the construction of two 96-foot tall buildings at 305 West Front Street, with conditions, as recommended by the Planning Commission, be scheduled for public hearing on September 21, 2015; and that this matter be scheduled for a study session on August 31, 2015.

Rob Bacigalupi, Downtown Development Authority Executive Director
Laura Oblinger, Traverse City Area Chamber of Commerce Executive Director, 1020 Washington Street – expressed support
Mike Jackson, 217 Sixth Street – made general comments
Elizabeth Osborn, 150 Pine Street – expressed opposition
Mary Zacks, 203 Wadsworth Street, City business owner – made general comments
Priscilla Townsend, 150 Pine Street – made general comments
Grant Parsons, 6936 Mission Ridge, Peninsula Township, City business owner – expressed opposition
Lee Delancey, 150 Pine Street – expressed opposition
Paul Danielson, 446 North Elmwood Avenue, City business owner – expressed support
Deb Scheer, 150 Pine Street – expressed opposition
Jenny Nestor, 209 North Madison – expressed opposition
John McDonald, 117 Monroe – expressed opposition
John DiGiacomo, 440 North Spruce Street, City business owner – made general comments
Mary Grover, 506 Fifth Street – made general comments

Ann Rogers, 1236 Peninsula Drive – expressed opposition
David Petrove, 9988 Riley Road, Interlochen – expressed opposition
Jeffrey Turner, 150 Pine Street – expressed opposition
Kathryn Venger-Smith, 911 Washington Street – expressed
Tim Nance, 880 Oakdale Drive - expressed support
Rob Bacigalupi, Downtown Development Authority Executive Director –
made general comments
David Flagstaff, 150 Pine Street – expressed opposition
Rick Buckhalter, 932 Kelley Street – made general comments
Brenda Quick, 542 Fifth Street – expressed opposition
Heidi Post, 719 Lake Avenue - expressed opposition

Roll Call:

Yes - Carruthers, Howe, Richardson, Werner, Budros, Estes.

No - Easterday.

CARRIED.

3(b).

Consideration of adopting a resolution approving a request from the WODA Group for a PILOT (payment-in-lieu of taxes) for a planned development at the southwest corner of Front and Pine Streets and authorizing a related municipal services agreement.

The following addressed the Commission:

Marty Colburn, City Manager
Lauren Tribble-Laucht, City Attorney

Moved by Richardson, seconded by Budros, that this item be considered on September 21, 2015.

Craig Patterson, Woda Group Senior Vice President, 115 North Huron Drive, Mackinaw City
Rick Buckhalter, 932 Kelley Street – made general comments

Priscilla Townsend, 150 Pine Street – made general comments
Elizabeth Osborne, 150 Pine Street – made general comments
Ann Rogers, 1236 Peninsula Drive – made general comments
Paul Danielson, 446 North Elmwood, City Business owner – made general comments

Roll Call:

Yes - Richardson, Budros, Estes, Carruthers.

No - Easterday, Howe, Werner.

CARRIED.

There being no objection, Mayor Estes declared a recess.

(Commissioner Budros departed)

4. New Business

4(a).

Consideration of amending the resolution designating the City-controlled property upon which licensed mobile food vendors may operate which would allow one unit at a time to operate within the Senior Center parking lot, as requested by the Grand Traverse County Commission on Aging.

The following addressed the Commission:

Benjamin Marentette, City Clerk

Moved by Howe, seconded by Easterday, that the Resolution Establishing Locations on City-Controlled Property Where Mobile Food Vending is Allowed be amended to allow one mobile food vending unit at a time at the Senior Center Parking Lot.

CARRIED unanimously. (Budros absent)

4(b).

Consideration of authorizing a contract for catering services for the City's host reception for the Michigan Municipal League Annual Convention in Traverse City.

The following addressed the Commission:

Marty Colburn, City Manager

Moved by Easterday, seconded by Howe, that the Mayor and City Clerk execute a Catering Contract with Grand View Catering for the provision of Catering Services on September 16, 2015, for the MML Host City Reception during the 2015 Michigan Municipal League Annual Convention at an estimated cost of \$7,500, including an initial deposit of \$2,500, with funds to be provided through private donations, with such contract subject to approval as to its substance by the City Manager and its form by the City Attorney.

CARRIED unanimously. (Budros absent)

4(c).

Discussion regarding the Adopt-A-Commissioner Youth Engagement Program.

Moved by Howe, seconded by Easterday, that the City Commission supports the Adopt-A-Commissioner Youth Engagement Program as outlined in the communication submitted with the August 17, 2015, City Commission meeting packet materials, with coordination of City Commission volunteers by the City Clerk's Office.

The following addressed the Commission:

Erik Falconer, Traverse City Area Public Schools Board of Education Vice President, 9612 Walkabout Lane, Peninsula Township, City business owner – expressed support
Tak Ready, Long Lake Township resident – expressed support

CARRIED unanimously. (Budros absent)

5. Appointments

5(a).

Consideration of appointing a City Commission Ad Hoc Committee to review the fee structure for the National Cherry Festival.

The following addressed the Commission:

Benjamin Marentette, City Clerk

No action was taken.

5(b).

Consideration of re-establishing the City Commission Ad Hoc Committee regarding Administration of the Garage Fund.

Moved by Richardson, seconded by Howe, that a City Commission Ad Hoc Committee Regarding Administration of the Garage Fund be re-established (originally established on February 17, 2015) to review the administration of the Fund; and that Commissioners Richardson, Howe, and Werner be reappointed to the Committee, with Commissioner Richardson to serve as Chair, with the committee to expire February 17, 2016.

CARRIED unanimously. (Budros absent)

5(c).

Consideration of establishing an ad hoc interview committee to make recommendation regarding four appointments to the Brown Bridge Advisory Committee.

The following addressed the Commission:

Benjamin Marentette, City Clerk

Moved by Werner, seconded by Carruthers, that Paul Maxbauer, Michael Kreft, Judith Nemitz, and Deni Scrudato (seats previously held by Paul Maxbauer, Michael Kreft, Judith Nemitz, and Deni Scrudato) each be reappointed to one three-year term expiring October 1, 2018, on the Brown Bridge Advisory Committee.

CARRIED unanimously. (Budros absent)

6. Reports and Communications

The following were received and filed:

- a. Reports, announcements and correspondence from the City Manager.
- b. Announcements from the City Clerk.
- c. Reports, announcements and correspondence from the Mayor and City Commissioners.
- d. Reports and correspondence from other City officials, boards and committees.
 1. Reports from members of the Commission serving on boards.
 2. Minutes of the Traverse City Light and Power Board meeting of June 30, 2015.
- e. Reports and correspondence from non-City officials.
 1. Fractile Emergency Response Report from North Flight for July, 2015.

7. Public Comment

The following addressed the Commission:

1. Reserved.

None

2. General.

Chris Maxbauer, 503 West Eighth Street

3. Mayor and City Commissioners.

Commissioner Jim Carruthers
Marty Colburn, City Manager

There being no objection, Mayor Michael Estes declared the meeting adjourned at 9:58 p.m.

Benjamin C. Marentette, MMC
City Clerk

Approved: _____, _____
(Date) (Initials)